



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 8, 1997

Ron Pene
Pene Mining
Box 4017
Grand Junction, Colorado 81502

Re: Designation of Operator/Project Manager, Wind River Resources Corp., State Section 13 Project, S/019/041 (ML-47238), Grand County, Utah

Dear Mr. Pene:

Thank you for the supplemental information provided in response to our December 13, 1996 letter. We received your response on January 27, 1997. In addition, we have received a copy of the Designation of Operator for ML-47238 submitted to the School Institutional Trust Lands Administration and signed on February 3, 1997. The supplemental information in your letter has addressed all of the completeness issues raised in the Division's December 13, 1996 letter.

Your letter states that Pene Mining is only the Project Manager for Wind River Resources Corp. under this lease. The Designation of Operator states that the operator agrees to comply with all lease provisions, statutes, rules and regulations whether federal, state, or local, in its operations on the subject lease. Based on this information, the Division will consider the Wind River Resources Corp.'s State Section 13 Project as being separate and distinct from the Pussycat Placer Claims Small Mine Notice S/019/030. This decision is due to the interpretation of the Division's policy for related or neighboring sites regarding the control of several sites by one operator. Based on the Designation of Operator and this policy interpretation the Division considers the State Section 13 Project to be under the control of Tom Bachtell of Wind River Resources Corp.

For clarification, Ron Pene of Pene Mining is both the operator of record and owner for the Pussycat Placer Claims Small Mine Notice S/019/030. The Pussycat Placer Small Mine project is under the control of Pene Mining and is allowed a total surface disturbance of five acres under the Division Rules for Small Mining Operations.

Wind River Resources, Corp. is the holder (owner) of mineral lease ML-47238 for the State Section 13 Project, Division file number S/019/041. Pene Mining is the designed operator conducting the actual mining and reclamation work for the State Section 13 Project. The State Section 13 Project is under the control of Wind River Resources, Corp. and is allowed a total surface disturbance of five acres under the Division Rules for Small Mining Operations.

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Thank you for your cooperation in resolving the completeness and related sites issues. If you have any further questions in this regard please contact me or Wayne Hedberg here at the Division. Please reference our file number **S/019/041** in future correspondence regarding the Wind River Resources, Corp. State Section 13 Project.

Sincerely,



Anthony A. Gallegos
Senior Reclamation Specialist

jb
cc: Tom Bachtell, Wind River Resource Corp.
Kate Kitchell, BLM Moab District
Steve McNeal, Division of Water Quality
Will Stokes, SITLA (ML-47238)
Jim Wells, Division of Water Rights
Lowell Braxton, Deputy Director, DOGM
Mary Ann Wright, Associate Director of Mining, DOGM
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